THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.18126 of 2005

Dt:17.08.2005

Between:

R.Narayana Rao

.. Petitioner

and

The Dist. Collector and others

.. Respondents

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.18126 of 2005

ORDER:

This writ petition is filed seeking a direction to the respondents to provide pathway and field channel in R.S.Nos.17 and 36 of Atchampalem hamlet of Srikakulam village of Ghantasala Mandal, Krishna District.

It is the case of the petitioner that the above said R.S.Nos., are classified as “Drain Poramboke and “Pathway Poramboke” respectively. The villagers are using the said survey numbers for cart track to transport the agricultural products. While so, the fourth respondent-Atchampalem Gram Panchayat passed a resolution on 22.06.1998 stating that in Sy.Nos.17 and 36, sixty links of Puntha land is necessary for cart tract and forwarded the same to the authorities concerned for taking necessary action. Thereafter, the third respondent issued proceedings dated 11.07.1998 to the effect that 56 links of Donka land is necessary for cart tract. When the said proceedings were forwarded to the Revenue Divisional Officer along with the resolution of the Gram Panchayat, he, without appreciating the material available on record, passed an order dated 30.12.1999 stating that there is no need to take 56 links of land for the purpose of cart track in the above said survey numbers. Questioning the said order, the petitioner filed W.P.No.1191 of 2000, which was disposed of on 28.08.2002 giving liberty to file an appeal before the competent authority and on such appeal, the appellate authority shall consider the same on merits and pass appropriate orders within three months thereafter. Accordingly the petitioner filed an appeal before the second respondent, which was disposed of on 18.06.2004 directing the third respondent to provide 30 links pathway and five links field channel in the above said survey numbers duly fixing the boundaries. Though the second respondent passed an order on 18.06.2004, the third respondent has not taken any action so far. Hence, the petitioner submitted representations dated 20.09.2004,17.12.2004 and 15.03.2005 to the first respondent requesting to form pathway and field channel, but no action has been taken so far. Hence, this writ petition.

Heard both the counsel.

The grievance of the petitioner is that though he made representations dated 20.09.2004, 17.12.2004 and 15.03.2005 to the first respondent requesting to provide pathway and field channel, no action has been taken so far.

Having regard to the facts and circumstances of the case, without going into the merits of the case, the writ petition is disposed of, at the stage of admission, with a

direction to the first respondent to consider the representations dated 20.09.2004, 17.12.2004 and 15.03.2005 submitted by the petitioner and pass appropriate orders, in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

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17.08.2005

kdl